

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:17-cr-00082-MR-DLH-4**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**OFIR MARSIANO,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the Court on the Defendant's Unopposed Motion to Seal Attachment to Sentencing Memorandum Alternative Motion to Withdraw and Remove From Record. [Doc. 253].

The Defendant, through counsel, moves the Court for leave to file an Exhibit under seal in this case. For grounds, counsel states that the exhibit includes detailed sensitive and confidential information concerning an ongoing investigation, as well as information that could jeopardize the safety of the Defendant. [Doc. 253].

Before sealing a court document, the Court must "(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic alternatives to sealing the

documents, and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting the alternatives.” Ashcraft v. Conoco, Inc., 218 F.3d 288, 302 (4<sup>th</sup> Cir. 2000). In the present case, the public has been provided with adequate notice and an opportunity to object to the Defendant’s motion. The Defendant filed his motion on September 14, 2018, and it has been accessible to the public through the Court’s electronic case filing system since that time. Further, the Defendant has demonstrated that the Exhibit contains sensitive information concerning the Defendant and that the public’s right of access to such information is substantially outweighed by the Defendant’s competing interest in protecting the details of such information. Finally, having considered less drastic alternatives to sealing the document, the Court concludes that sealing of the Exhibit is necessary to protect the ongoing investigation and the Defendant’s safety.

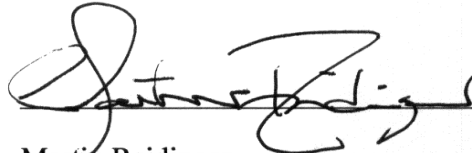
Accordingly, the Defendant’s Motion to Seal is granted, and counsel shall be permitted to file an Exhibit under seal.

**IT IS, THEREFORE, ORDERED** that the Defendant’s Unopposed Motion to Seal Attachment to Sentencing Memorandum Alternative Motion to Withdraw and Remove From Record [Doc. 253] is **GRANTED**, and the

Defendant's Exhibit [Doc. 252] shall be filed under seal and shall remain under seal until further Order of the Court.

**IT IS SO ORDERED.**

Signed: September 25, 2018

  
Martin Reidinger  
United States District Judge

